

REMARKS

Applicants have amended claims 1 and 10. Applicants have canceled claims 22 and 23.

Applicants have added claims 24-26 in the above-captioned application. No new matter has been added. Support for the new and amended claims is found, for example, in paragraphs [0016], [0021], [0022], and [0025] of the specification. Thus, claims 1-7, 10-16, 20-21, and 24-26 are pending.

Applicants point out that, contrary to as stated, in the Office Action, cited references Thakkar and EP 1 114 850 are not newly discovered references but were the basis of rejections in previous Office Actions.

On page 2 of the Office Action, claims 1-6, 20 and 22-23 were rejected under 35 U.S.C. 102(b) as being anticipated by Thakkar, U.S. Patent No. 5,512,089 (“Thakkar”). Applicants submit that the ink formulation of Thakkar is specific to continuous inkjet printing as opposed to drop on demand inkjet printing and, therefore, the invention of Thakkar differs from the drop on demand ink formulation of the present invention. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

On page 3 of the Office Action, claims 22 and 23 were rejected under 35 U.S.C. 102(a) as being anticipated by EP 1 114 850. Applicants submit that this rejection is moot in view of the cancellation of claims 22 and 23. Accordingly, Applicants respectfully requests reconsideration and withdrawal of the rejection.

On page 4 of the Office Action, claims 10-12, 14-16 and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Thakkar on the grounds that it would have been obvious to one of ordinary skill in the art to use the specific ratio of pigment to polypropylene glycol as claimed by Applicants as Thakkar discloses the use of pigment and polypropylene

glycol in overlapping ranges but shows no example incorporating them in the claimed ratio.

Applicants submit that Thakkar does not render the present invention obvious. In Example 2 of Thakkar, it was stated that there were problems with the ink formulation of Example 1 that remained even after the addition of a conventional humectant and a surfactant to the water and carbon dispersion (col. 3, lines 52-60). According to Thakkar, in an effort to overcome the problems associated with the ink for use in continuous inkjet printing described in Example 1, the ink was modified to increase the pH by requiring the addition of a base (col. 3, lines 64-67; col. 4, lines). Accordingly, Applicants submit that Thakkar teaches away from the present invention and, therefore, does not render the present invention obvious.

Further, Thakkar is directed to pigmented ink for use in continuous inkjet printers as opposed to drop on demand inkjet printers. These two different types of prints operate based upon different technologies and, thus, have different complexities associated with their ink design. Continuous inkjet printing, as the name implies, forms a jet of droplets the entire time that the printer is active and ready to print. The drops to be printed are selected by charging them, which causes them to be deflected from the continuous droplet stream, and the remaining unprinted drops are recycled. In drop on demand inkjet printing droplets are only produced from the nozzle by a pressure pulse when required and so the nozzle may experience long idle (dwell) periods between droplet ejections. The ink of the present invention improves dwell performance while also providing good wetfastness of the printed image. For the continuous inkjet printing which is the subject of Thakkar, dwell performance is not relevant as the jet is continuously present during printing. Furthermore, the issue of re-dispersibility with which Thakkar is concerned is not relevant to drop on demand inkjet printing. Therefore, Applicants submit that one of ordinary skill in the art would not look to Thakkar which is specific to continuous inkjet

printing for teachings or suggestions as to how to solve the problems such as dwell performance which are particular to drop on demand inkjet printing. Accordingly, Applicants respectfully requests reconsideration and withdrawal of the rejection.

On page 4 of the Office Action, claims 1-7, 10-16 and 20-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over EP 1 114 850 on the grounds that it would have been obvious to one of ordinary skill in the art to use the specific ratio of pigment to polypropylene glycol as claimed by Applicant as EP 1 114 850 discloses the use of pigment and polypropylene glycol in overlapping ranges but shows no example incorporating them in the claimed ratio. Applicants submit that EP 1 114 850 does not render the present invention obvious. EP 1 114 850 teaches an ink composition comprising a surface-modified pigment, glycerin, a glycol compound, and water. While the specification of EP 1 114 850 makes it clear that glycerin must be used, it also makes it clear that any of a number of glycol compounds may be used for the ink composition. A person of ordinary skill in the art applying or modifying the teachings of EP 1 114 850 would likely create an ink composition comprising humectants such as glycerin and any glycol from the list of preferred glycol compounds in EP 1 114 850. However, the ink composition of the present invention does not contain glycerin but does comprise a particular glycol, namely polypropylene glycol. As such, EP 1 114 850 does not render the present invention obvious under section 103. Furthermore, Applicants reiterate previous arguments made of record in response to this rejection and submit that EP 1 114 850 does not render the present invention obvious. Accordingly, Applicants respectfully requests reconsideration and withdrawal of the rejection.

In view of the foregoing, it is respectfully urged that the present claims are in condition for allowance and reconsideration is requested. An early notice to this effect is earnestly

solicited. Should there be any questions regarding this application, the Examiner is invited to contact the undersigned at the number shown below.

Respectfully submitted,

Susan S. Jackson
Susan S. Jackson
Registration No. 41,302
Kennedy Covington Lobdell
& Hickman, L.L.P.
Hearst Tower, 47th Floor
214 N. Tryon Street
Charlotte, North Carolina 28202
Telephone (704) 331-7410
-- Attorney for Applicants